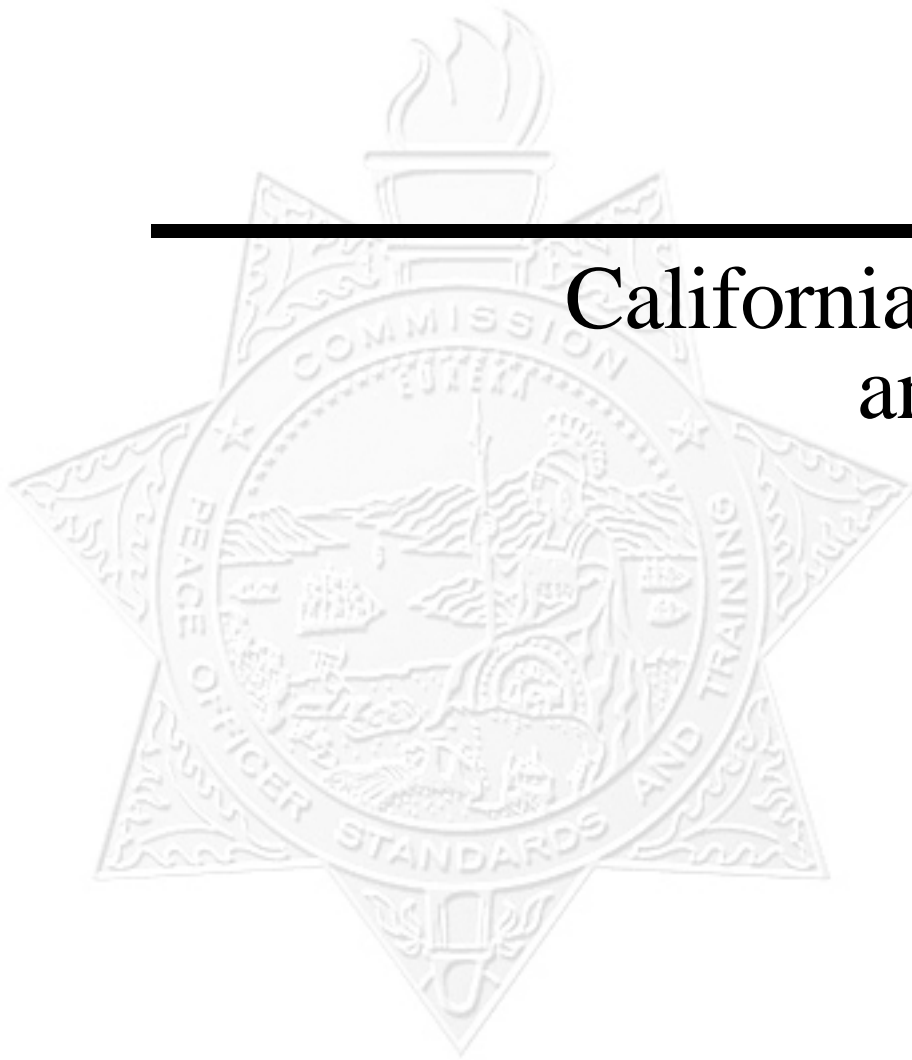


■ FTP

California Codes and Law



CALIFORNIA CODES AND LAW

CRIMINAL LAW

2.9.01 The trainee shall define certain terms as recognized in California criminal law. These shall minimally include:

- A. Accessory
- B. Accomplice
- C. Criminal negligence
- D. Corpus delicti
- E. Entrapment
- F. Implied intent
- G. Principal
- H. Specific intent
- I. Transferred intent

Reference:

	INSTRUCTED		COMPETENCY DEMONSTRATED		How Demonstrated? Field Perform Role Play Written Test Verbal Test	REMEDIATED		How Remediated? Field Perform Role Play Written Test Verbal Test
	Name	Date	Name	Date		Name	Date	
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Comments:								Case/Report No.:

2.9.02 The trainee shall identify the elements of a crime. These shall include:

- A. Any act or omission
- B. By a person
- C. In violation of statutory law
- D. For which there is punishment

Reference:

	INSTRUCTED		COMPETENCY DEMONSTRATED		How Demonstrated? Field Perform Role Play Written Test Verbal Test	REMEDIATED		How Remediated? Field Perform Role Play Written Test Verbal Test
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CALIFORNIA CODES AND LAW

2.9.03 The trainee shall describe those persons who are legally incapable of committing a crime in the state of California (PC 26).

Reference:

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	Name	Date	Name	Date		Name	Date	
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2.9.04 Given any situation in which a possible crime has occurred, the trainee shall recognize those situations where the crime is complete and shall identify the crime by its common name, code number, and crime classification. These crimes shall minimally include California laws pertaining to:

- A. Obstruction of justice
- B. Homicide
- C. Robbery
- D. Assaults
- E. Criminal threats (formerly Terrorist threats)
- F. Stalking
- G. Restraining order violations
- H. Cruelty to animals
- I. Crimes against children
- J. Sex crimes
- K. Disturbing the peace
- L. Burglary
- M. Trespassing
- N. Arson
- O. Vandalism
- P. Theft (including Identity Theft)
- Q. Forgery and check offenses
- R. Disorderly conduct
- S. Control and use of dangerous weapons
- T. Use, possession, and sales of dangerous drugs (including under the influence)
- U. Receiving or possession of stolen property (including alteration of serial numbers)

Reference:

	INSTRUCTED		COMPETENCY DEMONSTRATED		How Demonstrated? Field Perform Role Play Written Test Verbal Test	REMEDIED		How Remediated? Field Perform Role Play Written Test Verbal Test
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CALIFORNIA CODES AND LAW

PROBABLE CAUSE

2.9.05 The trainee shall identify and explain the following elements of “reasonable suspicion” as those required to lawfully stop, detain, or investigate a person:

- A. Specific and articulable facts
- B. Crime related activity that has occurred, is occurring, or is about to occur
- C. Involvement by the person to be detained in a crime-related activity

Reference:

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2.9.06 The trainee shall recognize and explain the police officer’s right to search a person when probable cause to arrest exists.

Reference:

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	Name	Date	Name	Date		Name	Date	
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Comments:								Case/Report No.:

2.9.07 Given various scenarios, simulated incidents, or calls for service depicting instances where probable cause for police action may or may not exist, the trainee shall recognize its presence or absence and explain the reasons behind that decision.

Reference:

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CALIFORNIA CODES AND LAW

LAWS OF ARREST

2.9.08 The trainee shall explain a peace officer's authority to make an arrest.

Reference: 836 PC; 40300.5 through 40302

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2.9.09 The trainee shall explain the various requirements related to arrests, to minimally include:

- A. Time of day or night that an arrest may be made
- B. The information the person arrested must be provided and at what time it must be provided
- C. What must be done with the person arrested

Reference: 840 PC; 841 PC; 825 PC; 848 PC; 849 PC; 851.5 PC; 853.5 PC; 853.6 PC

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2.9.10 The trainee shall explain the requirements placed upon a private person making the arrest of another and be able to determine if the "private persons" arrest is legal.

Reference: 837 PC; 847 PC

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CALIFORNIA CODES AND LAW

2.9.11 The trainee shall explain the requirements for advising a person of his/her Miranda rights.

Reference:

	INSTRUCTED		COMPETENCY DEMONSTRATED		How Demonstrated? Field Perform Role Play Written Test Verbal Test	REMEDIED		How Remediated? Field Perform Role Play Written Test Verbal Test
	Name	Date	Name	Date		Name	Date	
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Comments:								Case/Report No.:

2.9.12 The trainee shall explain the requirements regarding gaining admittance into a location to make an arrest.

Reference: 844 PC

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	Name	Date	Name	Date		Name	Date	
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Comments:								Case/Report No.:

2.9.13 The trainee shall explain the amount of force that may be used when effecting an arrest.

Reference: 835 PC; 843 PC

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Comments:								Case/Report No.:

2.9.14 The trainee shall explain the term “reasonable” as it applies to the use of force.

Reference: 835 PC

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CALIFORNIA CODES AND LAW

- 2.9.15 The trainee shall review and explain California law and department policy concerning the use of physical force and deadly force.

Reference:

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	Name	Date	Name	Date		Name	Date	
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Comments:								Case/Report No.:

- 2.9.16 The trainee shall explain instances where he/she is not civilly liable for false imprisonment arising out of an arrest.

Reference: 142(c) PC; 836.5 PC; 847 PC

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Comments:								Case/Report No.:

- 2.9.17 The trainee shall explain situations where legal exceptions to an arrest might exist, including:

- A. Diplomatic immunity (22 U.S. Const. 252)
- B. Stale misdemeanor rule (Hill v. Levy, 117 CA 2nd, 667) (Roynin v. Battin, 55 CA 2nd 861)
- C. Congressional exceptions (Art. 1, Section 6, US Const.) (Art. 4, Section 2, Cal. Const.)

Reference:

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CALIFORNIA CODES AND LAW

JUVENILE LAW AND PROCEDURE

2.9.18 The trainee shall explain applicable laws pertaining to the investigation of juvenile offenses and to the apprehension and detention of juvenile offenders. These shall minimally include:

- A. Miranda advisement
- B. 300 W&I; 305 W&I; 601 W&I; 602 W&I; 625 W&I; 627 W&I; 707 W&I; and any additional local ordinances/curfews
- C. Laws pertaining to schools, including 626 PC sections and Ed. Code sections 48906, 48260-66, etc.
- D. Secure/Non-secure detention of juveniles (206 W&I; 207 W&I; 207.1 W&I; and 207.2 W&I)

Reference:

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Trainee								
Comments:								Case/Report No.:

ADDITIONAL LAWS

2.9.19 The trainee shall recognize violations of the Alcoholic Beverage Control Act and, given a copy of that act, will locate the applicable sections including those prohibiting:

- A. After-hours sale/consumption of alcoholic beverages on licensed premises
- B. Selling/providing alcoholic liquor to any person under the age of 21 years
- C. Selling/providing alcoholic liquor to a person who is visibly intoxicated

Reference:

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CALIFORNIA CODES AND LAW

2.9.20 The trainee shall review and explain the laws regarding parole and probation violations, searches, and holds including:

- A. 3056 PC
- B. 1203.2 PC

Reference:

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Comments:								Case/Report No.:

2.9.21 The trainee shall recognize violations of local ordinances and, given reference text, will locate the applicable sections.

Reference:

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Trainee								
Comments:								Case/Report No.:

2.9.22 The trainee shall recognize the basic rights of all persons as granted by the United States Constitution and shall at all times adhere to those rights granted by the following amendments:

- A. First – Freedom of religion, speech, press, and public assembly
- B. Fourth – Search and seizure only by warrant or good cause
- C. Fifth – Right to trial; no double jeopardy; no self incrimination; no punishment without due process; and no confiscation without compensation
- D. Sixth – Right to a speedy trial
- E. Eighth – Excessive bail prohibited
- F. Fourteenth – Civil rights (see 18 USC, 242 – Color of law/authority)

Reference:

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CALIFORNIA CODES AND LAW

2.9.23 The trainee shall review, explain, and/or give examples of any new/revised state legislative mandates.

Reference: *POST Legislative Update Telecourses and CD ROMS*

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